

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BRADY COHEN, individually and on behalf of
others similarly situated,

: Case No. 1:17-CV-09325 (WHP)

Plaintiff,

: **NOTICE OF MOTION**

- v -

CASPER SLEEP, INC. and NAVISTONE, INC.,

Defendants.

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TO THE COUNSEL LISTED BELOW:

PLEASE TAKE NOTICE, that upon the annexed Amended Complaint, the accompanying Memorandum of Law, and all prior pleadings and proceedings herein, Defendant NaviStone, Inc. will move this Court before Hon. William H Pauley, III, U.S.D.J., at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 20B, New York, New York 10007, on the 27th day of April, 2018, at 11:00 in the forenoon, for an Order pursuant to Fed. R. Civ. P. 12(b)(6) and 28 U.S.C. § 1367(c) dismissing the Amended Complaint and each Count therein, and for such other and further relief as the Court may deem just and proper. Answering papers shall be filed on or before March 29, 2018.

Dated: New York, New York

March 1, 2018

Respectfully submitted,

MENAKER & HERRMANN LLP

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Richard G. Menaker

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